



EMERGENCY ORDER
IN AND FOR THE CITY OF SEQUIM, WASHINGTON

No. 2020-05

Regarding Governor's Proclamation "Stay Healthy Stay Safe" – Closing nonessential businesses; essential business may continue if social distancing/sanitizing measures in place; closing certain nonessential construction activities; Community Development and Public Works continuing to accept and process permit applications; providing penalties for violations.

Policy (Council) ☒ **City Clerk use only:** Presented to Council _____

Administrative (City Manager) ☐

On March 16, 2020, at a special meeting of the City Council of the City of Sequim, the City Council issued a Proclamation of Civil Emergency due to the novel corona virus (COVID-19) outbreak that was identified as a pandemic by the World Health Organization on March 11, 2020.

The Proclamation of Civil Emergency was issued pursuant to Sequim Municipal Code 2.60, RCW 35A.38.010, and RCW 38.52.070(2) based on the public health threat posed by COVID-19, and is consistent with concurrent emergency declarations issued by the President of the United States and the Governor of the State of Washington.

On March 23, 2020 Governor Inslee issued Proclamation 20-25 – "Stay Home Stay Healthy", which ordered everyone to shelter in place unless 1) performing essential activities and/or 2) working in essential business services.

The Governor identified nonessential businesses that will need to cease operations by midnight March 25, 2020, unless the business is identified on the list of "Essential Critical Infrastructure Workers" list until April 8, 2020. The "Essential Critical Infrastructure Workers" list is available [here](#):

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Section 1. Closing Commercial/Industrial Construction. All commercial and industrial construction contractors in the City limits must cease all operations, including tenant improvements, to comply with the Governor's Proclamation. Contractors may do the minimum work necessary to secure the premises to protect life and safety. The minimum work necessary to secure the premises must be completed within 48 hours of the date of this Order.

Section 2. Closing Site Construction/Land Disturbing Activities Unrelated to Critical and Strategic Infrastructure. All construction development contractors within the City limits must cease all operations and activities and comply with the Governor's Proclamation. Contractors may do the minimum work necessary to secure the premises to protect life and safety. The minimum work necessary to secure the premises must be completed within 48 hours of date of this Order.



Section 3. Construction on West Fir Street to Continue. Construction work on West Fir Street project may continue pursuant to page 3, bullet 2: Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues.

Section 4. Doe Run Sewer Lift Station Repair Bid Opening to Proceed. The City's bid opening scheduled for 11:00 a.m. April 1, 2020 will be held outside on the City's Civic Center Plaza. *Only bidders may attend the opening and social distancing will be enforced.* This section is authorized pursuant to the bulleted reference above and page 11, bullet 2: Construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects... for all essential facilities, services and projects included in this document....; and page 6, bullet 4: "Workers repairing water and wastewater conveyances...."

Section 5. Construction at the Ranney Well Infiltration Gallery. Construction work at the Ranney Well for the installation of a backup generator for maintenance and protection of the City's water system may continue pursuant to page 3, bullet 2: Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues; and page 6, bullet 4: "Workers repairing water and wastewater conveyances...."

Section 6. Construction at the Port Williams Well Site. Construction work at the Port Williams well site for the replacement of a failed well pump and motor for maintenance and protection of the City's water system may continue pursuant to page 3 bullet 2: Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues; and page 6, bullet 4: "Workers repairing water and wastewater conveyances...."

Section 7. New Housing Construction on Pre-established, Ready-to-Build Lots may Continue. New housing construction may continue as authorized under the Governor's Proclamation, page 11, bullet 2: Construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction) for all essential facilities, services and projects included in this document, and for residential construction related to emergency repairs and projects that ensure structural integrity. All construction activities authorized under this section must meet social distancing and sanitization mandates.

Section 8. Existing Residential Emergency Repairs Authorized. Only construction activity related to emergency repairs, such as sewer back-ups, water line breaks, etc., and projects that ensure the structural integrity of an existing structure, such as roof or foundation repairs, are allowed under the Governor's Proclamation, pursuant to Page 11, bullet 2: Construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction) for all essential facilities, services and projects included in this



document, and for residential construction related to emergency repairs and projects that ensure structural integrity. Other remodeling or renovation projects, such as deck installation, siding, painting, cabinet installation, etc. are not considered essential activities are prohibited. Only repairs necessary to ensure adequate life/safety protections are allowed. Any construction activities authorized under this section must meet social distancing and sanitization mandates. Nothing in this section is intended to prohibit homeowners from making their own repairs.

Section 9. Community Development and Public Works Departments to Continue Accepting and Processing Permit Applications. Community Development and Public Works will continue to accept and process permits, however, they will only be accepted via mail or online through the Departments' online Permit Center. This includes permit applications for nonessential construction; however, actual construction on those nonessential permits **is prohibited** for the duration of this Order and the Governor's Proclamation, as each may be amended.

Section 10. Inspections. Community Development and Public Works inspections will continue only for essential construction. Inspections via video or photographs may be allowed as determined at the applicable inspector's sole discretion. Community Development inspections are only available Monday, Wednesday, and Friday between 9:30 a.m. and 1:30 p.m. For all onsite inspections, contractors must give 24-hour notice before the requested inspection is to occur. These departments are operating with minimal or remote staffing, so while staff strive to be timely, do not expect normal response times. At the time of the inspection, all onsite workers must maintain a minimum of distance of 10 feet from the inspector at all times. Failure to keep this minimum social distancing may result in the inspector terminating the inspection at the inspector's sole discretion. Inspectors will review plans on their own devices and will sign off on the City's inspection cards, as appropriate, and contact the contractor regarding whether the inspection has been signed off or corrections are required.

Section 11. All Nonessential Businesses and Gathering Places Remain Closed. Proclamation 20-25 extended the closure of businesses identified in Proclamation 20-13 and authorized only "minimum basic operations". Proclamation 20-13 closed all public venues, "in which people congregate for entertainment, social or recreational purposes, including but not limited to theaters, bowling alleys, gyms, fitness centers, non-tribal card rooms, barbershops and hair/nail salons, tattoo parlors, pool halls, and other similar venues.... "Minimum basic operations" are "minimum activities necessary to maintain the value of the business' inventory, preserve the condition of the business' physical plant and equipment, ensure security, process payroll and employee benefits, facilitate employees of the business being able to continue to work remotely from their residences, and related functions."

Section 12. Home Businesses with No In-Person or On-Site Interactions may Continue. Working from home, operating a single owner business with no in-person, on-site public interaction, or restaurants and food services providing delivery or take-away services are allowed so long as proper social distancing and sanitation measures are established and implemented.

Section 13. Certain Retail Businesses Deemed Essential. Retailers identified in the "Essential Critical Infrastructure Workers" list may continue if appropriate social distancing and sanitization measures are implemented.



Section 14. Penalty for Violation. Persons who violate the City's orders are subject to the penalties as set forth in SMC 2.60.140. Construction activities in violation of this Order are subject to additional penalties as set forth in SMC 1.13 – Code Enforcement.

Section 15. Presentation, Ratification, Termination. Emergency Orders issued under the March 16, 2020 Proclamation of Civil Emergency will be filed with the Legal Department and presented by the City Clerk as soon as practicable to the City Council for ratification and confirmation, modification, or rejection, if applicable.

Rejected orders will be void after the Council vote rejecting them.

Until such time as Council acts, Emergency Orders will be considered in full force and effect.

Section 16. Duration. Unless modified, extended, or terminated by the Sequim City Council or Sequim City Manager as applicable, this Emergency Order is effective immediately and remains in effect until April 8, 2020 at 11:59 p.m., unless extended.

SIGNED this 25th day of March, 2020, at — hours.

CITY OF SEQUIM

Charles P. Bush
Charles P. Bush, City Manager

Approved as to form:

Kristina Nelson-Gross, City Attorney

Attest:

Sara McMillon
Sara McMillon, City Clerk